

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:

SHIRLEY D. BUSACK

Debtor

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CASE NO. 05-18021

DECISION AND ORDER

At Fort Wayne, Indiana, on July 11, 2006

The notice of motion and opportunity to object which National City Mortgage, Inc., (hereinafter "Movant") served in connection with its motion for relief from stay and abandonment does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The certificate of service filed with the notice of that motion indicates that only parties were served with notice of the motion and opportunity to object thereto. All creditors and parties in interest are entitled to notice of the abandonment of property from the bankruptcy estate. See, Fed. R. Bankr. P. Rule 6007.

Since this is the second time that creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the motion is DENIED, without prejudice to resubmission.

SO ORDERED.

/s/ Robert E. Grant
Judge, United States Bankruptcy Court